

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

OLLIE EVANS, #63213

PLAINTIFF

VERSUS

CIVIL ACTION NO. 4:09cv94-HTW-LRA

GEO, EMCF, WARDEN D. CASKEY,
WARDEN UNKNOWN GRIMES,
WARDEN UNKNOWN GILLISPIE,
STAFF MEMBER, UNKNOWN PRUDE,
JOHN DOE ST. and JOHN DOE STAFF

DEFENDANTS

ORDER

Upon consideration of the complaint filed pursuant to 42 U.S.C. § 1983 by the plaintiff in the above entitled action, this Court finds that additional information is required to screen the instant civil action as provided for by 28 U.S.C. § 1915A.

In order to maintain an action pursuant to 42 U.S.C. § 1983, the plaintiff must allege that a person acting under color of state law deprived him of a right secured by the Constitution or other law of United States. West v. Atkins, 487 U.S. 42, 48 (1988). The plaintiff's allegations in his complaint fail to assert that the named defendants have violated any of his constitutional rights. Moreover, summons will not be directed to issue for defendants referred to as "Staff Member," "John Doe St." and "John Doe Staff." Accordingly, it is hereby,

ORDERED:

1. That **on or before August 4, 2009**, plaintiff shall file a written response to:

(a) specifically state how defendant WARDEN D. CASKEY violated plaintiff's constitutional rights;

(b) specifically state how defendant WARDEN UNKNOWN GRIMES violated plaintiff's constitutional rights;

(c) specifically state how defendant WARDEN UNKNOWN GILLISPIE violated plaintiff's constitutional rights;

(d) specifically state how defendant UNKNOWN PRUDE violated plaintiff's constitutional rights; and

(e) specifically state the individual names of the defendants referred to as "Staff member," "John Doe St." and "John Doe Staff" and state how each of the individuals violated the plaintiff's constitutional rights.

The plaintiff is directed to file his written response with the Clerk, Eastern Division, P.O. Box 23552, Jackson, Mississippi 39225.

2. That failure to advise this Court of a change of address or failure to timely comply with any order of this Court will be deemed as a purposeful delay and contumacious act by the plaintiff and will result in this cause being dismissed without prejudice and without further notice to the plaintiff.

3. That the Clerk of Court is directed to mail a copy of this order to the plaintiff at his last known address.

THIS, the 20th day of July, 2009.

s/ Linda R. Anderson
UNITED STATES MAGISTRATE JUDGE